

UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TYWANA LEWIS o/b/o
BRIANNA BRENDA LEWIS

Plaintiff,

vs.

Case No. 08-14630
HON. GEORGE CARAM STEEH

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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ORDER ACCEPTING DECEMBER 18, 2009 REPORT AND
RECOMMENDATION (#21), GRANTING DEFENDANT'S MOTION FOR
SUMMARY JUDGMENT(#18), DENYING PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT(#15) AND DISMISSING PLAINTIFF'S CLAIMS

This matter is before the Court on the parties' cross-motions for summary judgment as to plaintiff Tywana Lewis' claim for judicial review of defendant Commissioner of Social Security's denial of her application for disability insurance benefits for her daughter, Brianna Brenda Lewis. The matter was referred to Magistrate Judge Mona Majzoub. On December 18, 2009, Magistrate Judge Majzoub issued a 17-page Report and Recommendation, recommending that defendant's motion for summary judgment be granted, that plaintiff's motion for summary judgment be denied, and that judgment enter in favor of defendant Commissioner. Magistrate Judge Majzoub found there was substantial evidence in the record to support ALJ David F. Neumann's April 22, 2008 decision that plaintiff's daughter did not have an impairment or combination of impairments that resulted in either "marked" limitations in two domains of functioning or "extreme limitation in one domain of functioning." The Appeals Council subsequently declined to

review the ALJ's decision. Plaintiff has not filed timely objections to the Report and Recommendation.¹ See 28 U.S.C. § 636(b)(1); E.D. Mich. L.R. 72.1(d)(2).

Having reviewed the record and Report and Recommendation, and in the absence of timely objections, the Court hereby ACCEPTS Magistrate Judge Majzoub's well reasoned December 18, 2009 Report and Recommendation as its own. Plaintiff's motion for summary judgment is hereby DENIED. Defendant's motion for summary judgment is hereby GRANTED. Plaintiff Tywana Lewis' claim is hereby DISMISSED with prejudice.

SO ORDERED.

Dated: January 20, 2010

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
January 20, 2010, by electronic and/or ordinary mail.

S/Josephine Chaffee
Deputy Clerk

¹Plaintiff filed her self-styled objections 27 days after Magistrate Judge Majzoub's Report and Recommendation was issued. Aside from being untimely, the objections question whether a careful review of the record was completed and the accuracy of information that was given to "the JUDGE." Even if the court were to consider the objections made by the plaintiff, there is substantial evidence in the record to support the decision to deny plaintiff's daughter benefits.